



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **YANAGISAWA, Katsuhiko, et al.**

Serial No.: **10/768,193**

Group Art Unit: **1649**

Filed: **February 2, 2004**

Examiner: **Kimberly A. Ballard**

P.T.O. Confirmation No.: **3691**

For: **ANTIBODY RECOGNIZING GM1 GANGLIOSIDE-BOUND AMYLOID (BETA)-PROTEIN AND DNA ENCODING THE ANTIBODY**

DECLARATION UNDER 37 CFR 1.132(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

*DO NOT ENTER
6/6/07 KAB*

Sir:

I, Katsuhiko Yanagisawa, a citizen of Japan, hereby declare and state:

1. I am a named inventor on U.S. patent application Serial No. 10/768,193, "Antibody recognizing GM1 ganglioside-bound amyloid β -protein and DNA encoding the antibody", which in the following I refer to as the "subject application".
2. Furthermore, I am the named senior author on Hayashi et al., The Journal of Neuroscience 24, (2004), 4894-4902 ("D1") and I am the leading author of Yanagisawa et al., FEES LETT. 420 (1997), 43-46 ("D2") and Yanagisawa et al., Neurobiol. Aging 19 (1998), 65-67 ("D3").
3. I am familiar with the present application as well as with the mentioned references. Furthermore, I have been made familiar with the file history of the subject application including an Office Action issued by the United States Patent Office on February 23, 2007.
4. I am additionally advised and therefore believe that the Examiner has issued two rejections in the February 23, 2007 Office Action which, in asserting that the claims allegedly lack novelty and/or inventive step, potentially raises the following questions: